

Austin, Texas
January 31, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 123, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Senate Bill 141 on Second Reading

Senator Phillips moved that Senate Rules 116, 32 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 141 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 141, A bill to be entitled "An Act creating Road District No. 31 of Brazoria County, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 141 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

Adjournment

On motion of Senator Hardeman the Senate at 11:43 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

TWELFTH DAY

(Tuesday, February 1, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Hazlewood

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, we have all sinned and come short of the glory of God. Forgive us, we pray, for our sins in

word, deed, thought and attitudes toward Thee and one another. Deliver us from our guilt and penalties of sin, and teach us that real happiness is not a matter of position, but disposition. We pray in Christ's name. Amen."

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Martin submitted the following report:

Austin, Texas,
January 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 143, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 120, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 117, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State

Affairs, to whom was referred S. B. No. 66, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 72, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 55, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 137, A bill to be entitled "An Act increasing the salaries of the judges of the County Courts at Law Nos. I and II of Nueces County from Six Thousand Five Hundred Dollars (\$6,500.00) per annum to Eight Thousand Five Hundred Dollars (\$8,500.00) per annum; increasing the pay of special judges on said Court from Fifteen (\$15.00) per day to Twenty-five Dollars (\$25.00) per day; providing for the payment of said salaries from the General Fund of Nueces County on authorization of the Commissioner's Court; containing a severability clause; repealing all laws or parts of laws in

conflict herewith; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Bills on First Reading

The following Senate bills were introduced, read first time, and referred to the committees indicated:

By Senator Strauss:

S. B. No. 143, A bill to be entitled "An Act relating to narcotic drugs and barbiturates; amending the Uniform Narcotic Drug Act (Article 725b, Vernon's Penal Code) and the Texas Barbiturate Law, Chapter 413, Acts of the 52nd Legislature (Article 726c, Vernon's Penal Code), by making further provisions relative to drugs administered or dispensed and the maintenance of permanent records thereof; amending provisions of the foregoing statutes; providing for severability; and declaring an emergency."

To the Committee on Criminal Jurisprudence.

By Senator Parkhouse:

S. B. No. 144, A bill to be entitled "An Act amending Subsection 12 of Section II of Article I, and all of Section IV of Article I of Chapter 24, Acts of the Regular Session of the 51st Legislature, which amended Chapter 75, Acts of the Regular Session of the 50th Legislature, relating to the Texas Municipal Retirement System; and declaring an emergency."

To the Committee on State Affairs.

By Senators Aikin and Bracewell:

S. B. No. 145, A bill to be entitled "An Act creating the Texas Commission on Higher Education; providing for appointments of its members and their terms of office; providing for filling vacancies in its membership; providing rules and regulations for the transaction of its business; providing for expenses of members; prescribing times and place of meetings; authorizing employment of personnel and prescribing the qualifications of the Director; placing certain duties on the Council of College Presidents of State-supported institutions; prescribing the purpose, duties and functions of the Commission; providing for reports to the Governor

and to the Legislature; imposing certain duties on all State-supported institutions of higher learning and other State agencies; providing for hearings before the Commission; repealing Chapter 39, Acts of the Forty-first Legislature, First Called Session, 1929, and Chapter 10, Acts of the Forty-first Legislature, Second Called Session, 1929, as amended, and other Acts and parts of Acts inconsistent with the provisions of this Act; containing a severability clause; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Aikin:

S. B. No. 146, A bill to be entitled "An Act amending Section 15 of Article III of House Bill No. 20, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended by Section 1 of House Bill No. 234, Chapter 124, page 209, Acts of the 52nd Legislature, Regular Session, 1951, relating to the disposition of fees collected for the issuance of chauffeur's licenses, commercial operator's licenses, and operator's licenses, by the Texas Department of Public Safety; amending Section 19 of Article III of House Bill No. 20, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended by Section 2 of House Bill No. 234, Chapter 124, page 209, Acts of the 52nd Legislature, Regular Session, 1951, by increasing the fee for chauffeur's licenses, commercial operator's licenses and operator's licenses; providing for the disposition of such fees; repealing all inconsistent laws; and declaring an emergency."

To the Committee on State Affairs.

By Senator Rogers of Childress:

S. B. No. 147, A bill to be entitled "An Act providing that an officer, director or stockholder of a bank shall not be disqualified to act and serve as trustee of a school district because of the fact that the bank is the depository of the school district; and declaring an emergency."

To the Committee on State Affairs.

By Senator Latimer:

S. B. No. 148, A bill to be entitled "An Act amending Section 11 of Chapter 182, Acts of the Forty-fourth Legislature, 1935, providing for the payment of the salary of the County Superintendent and his assistants and

the expenses of his office; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Martin:

S. B. No. 149, A bill to be entitled "An Act comprehensively making current all prior laws as to the regulation of the sale of securities, regulating dealers, agents and salesmen who sell same and entitled 'The Securities Act'; defining words and phrases; listing exempt transactions and exempt securities, the pleading thereof and withdrawal of exemptions by administrative action and appeals to the courts; defining and regulating administrative procedures as to issuance and revocation of securities permits, for sales after registration by notification in certain cases and appeals to the courts; requiring escrow of funds and securities in certain cases; providing for issuance and revocation of licenses to dealers, agents and salesmen, and appeals to the courts where a license is refused or revoked; for public records and use of copies and records as evidence in courts; for enforcement by the State through the Attorney General, Secretary of State and local law enforcement officers; for court injunctions; for issuance of administrative orders by the Secretary of State and appeals to courts; regulating advertising of securities; for fees and deposit thereof in a special fund with the State Treasurer and use of money appropriated therefrom by the Secretary of State to administer the Act; for consents to service of process; for administrative hearings before the Secretary of State, for oaths and affirmations therein, issuance of process for same, and appeals to the courts therefrom; making certain sales voidable and other sales unlawful; containing remedies for purchasers and limitations as to actions; prescribing penalties for violation of the Act; for delegation of authority by the Secretary of State to the Securities Commissioner of Texas; containing a savings clause as to pending violations, existing permits, orders and licenses heretofore issued or begun; repealing all prior laws regulating securities sales and dealers; providing for severability; and declaring an emergency."

To the Committee on Civil Jurisprudence.

By Senators Willis and Corbin:

S. B. No. 150, A bill to be entitled

"An Act providing a salary increase for professional positions under the Foundation School Program Act; amending Section 1-a of the Foundation School Program Act so as to increase from \$402 to \$600 the additional salary provided for teachers; providing an operative date; and declaring an emergency."

To the Committee on Finance.

By Senator Owen:

S. B. No. 151, A bill to be entitled "An Act providing for the employment of a manager, tax assessor and collector, and other employees, by the directors of water improvement districts operating under contract with the Department of the Interior of the United States of America, the major portion of the irrigation works for which district shall have been constructed under authority of the United States; defining the powers and duties of such employees; limiting the term of employment of such employees to two years; providing that the salaries or compensation of such employees shall be fixed at the time of their employment; and declaring an emergency."

To the Committee on Water Rights, Irrigation and Drainage.

By Senator Owen:

S. B. No. 152, A bill to be entitled "An Act defining the qualifications of electors in water improvement districts operating under contract with the Department of the Interior of the United States of America, the major portion of the irrigation works for which district shall have been constructed under authority of the United States, and declaring an emergency."

To the Committee on Water Rights, Irrigation and Drainage.

Senate Concurrent Resolution 11

Senator Lock offered the following resolution:

S. C. R. No. 11, Granting Earl P. Rushing permission to sue the State of Texas.

Whereas, Earl P. Rushing has alleged that during the year 1950 the Texas Highway Department dug a ditch in connection with the construction and maintenance of State Highway No. 103 in San Augustine County and that this ditch was too small to carry the flow of water forced into it, thereby resulting in overflow of

and damage to lands of Earl P. Rushing, and that he has suffered damage during each of the years since and including the year 1950 and is continuing to suffer damage; and

Whereas, Earl P. Rushing desires to institute suit against the State of Texas and its Highway Department to recover compensation for such alleged damages suffered by him; now, therefore, be it

Resolved, That the consent of the Legislature of the State of Texas is hereby given to Earl P. Rushing to institute suit against the State of Texas and its Highway Department in a court of competent jurisdiction; and in case this suit is filed service of citation or any other necessary process shall be upon the Chairman of the Texas Highway Commission and the Attorney General of Texas, and either of the parties to the suit shall have the right of appeal as in other civil cases; and be it further

Resolved, That no admission of liability is made by this resolution.

The resolution was read and was referred to the Committee on Civil Jurisprudence.

Senate Concurrent Resolution 12

Senator Rogers of Travis offered the following resolution:

S. C. R. No. 12, Granting Holland Page of Austin permission to sue the State of Texas.

Whereas, Holland Page of Austin, Travis County, Texas, is contending and alleging that the State Highway Department of the State of Texas under date of November 22, 1954 ruled that Item 7.11 of the Specifications covering the project known as C143-1-13 Bexar County, such project being for construction work from Clark Avenue to Salado Creek in the city of San Antonio, Texas, on which work was begun by Holland Page March 26, 1954 and prosecuted continuously through September, 1954, protects the State by virtue of the language of Item 7.11; and

Whereas, A controversy has arisen with respect to whether Holland Page or the State of Texas or the Texas Highway Department is liable for certain damages done to the water lines, mains, valve stems, transit mains, and other items on South Flores and Highway 281, Rolland Avenue and Aurelia, and similar items

on Rigsby and other streets in San Antonio, Texas; and

Whereas, The State of Texas, the State Highway Commission of Texas, and the State Highway Engineer and administrative officials of said department contend that suit cannot be maintained against them or either of them without permission from the Legislature of the State of Texas; and

Whereas, The Legislature of the State of Texas neither admits nor denies that Holland Page has a valid claim, nevertheless it is the sense of this Legislature that no citizen of this State who has a valid claim or who has a right to have a justiciable controversy litigated against the State of Texas or the State Highway Commission or the State Highway Department or the State Highway Engineer or any administrative official acting for and on behalf of the State of Texas should be deprived of his opportunity to enforce and establish his claim before a court and jury in this State or before a Court without a jury; and

Whereas, The said Holland Page asserts that he has never been compensated for the damages, if any, which may accrue to him, and that the controversy has not been settled with respect to liability for said damage; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That Holland Page of Austin, Travis County, Texas, his heirs, executors, administrators and assigns be and they are hereby granted permission to bring and maintain suit against the State of Texas, the State Highway Commission, the State Highway Department, and/or the State Engineer, as well as any administrative official acting for and on behalf of the State Highway Department, in any court of competent jurisdiction at any time within two (2) years after the passage and enactment of this resolution, in order that the compensation due, if any, for the damages sustained, if any, may be determined and paid to the proper person or persons; and further, in order that the controversy, if any, may be settled and adjudicated, service of citation to be upon the Chairman of the Highway Commission of the State of Texas and the Attorney General of Texas; and such suit may provide for interest at six (6%) per cent per annum, as well as for the amount of the actual loss, if any; and

any and all parties may appeal a judgment as in similar cases. It is understood that nothing herein shall be construed as an admission of liability or of any fact on the part of the State of Texas or of any agency, officer or individual acting for or on behalf of the State.

The resolution was read and was referred to the Committee on Civil Jurisprudence.

Senate Resolution 33

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Class of Bremond High School, accompanied by Jack Arnold and Mrs. T. B. Carroll; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore, by unanimous consent, presented the students and their teachers to the Members of the Senate.

Senate Resolution No. 34

Senator Kazen offered the following resolution:

Whereas, It has been the custom to have the photographs of the Governor, Lieutenant Governor, Senators, and Secretary of the Senate prepared in a block picture and placed in the Senate Chamber at the end of each legislative session; and

Whereas, It is the desire of the Senate to honor the children of the Members of the Senate as mascots; now, therefore, be it

Resolved, That all sons of the Members of the Senate who have not reached their fifth birthday are hereby elected mascots of the Senate, and that their pictures be included in the

block picture of the Senate; and, be it further

Resolved, That all daughters of the Members of the Senate who have not reached their fifth birthday are hereby elected sweethearts of the Senate and their pictures be included in the block picture of the Senate; and be it further

Resolved, That this resolution shall not include the children previously named mascots or sweethearts in the Senate, and whose pictures appear on existing block picture panels of the Senate; and, be it further

Resolved, By the Senate of Texas, that a committee of three (3) Senators be appointed to arrange to have the photographs made of the Governor, Lieutenant Governor, Senators, Secretary of the Senate, Mascots, and Sweethearts, and that said photographs be arranged in a block panel and placed in the Senate Chamber, the expenses for which to be paid out of the contingent fund of the Senate.

The resolution was read and was adopted.

Senate Concurrent Resolution 13

Senator Kelley offered the following resolution:

S. C. R. No. 13, Invitation to Seaborn Collins, National Commander of the American Legion, to address Joint Session of the Legislature.

Whereas, The Honorable Seaborn Collins, National Commander of The American Legion, will make an official visit to Texas and will be in Austin on Monday, March 7, 1955; and

Whereas, The said Seaborn Collins is a native Texan, having been born at Maybelle, now a part of the City of Abilene, some forty-two years ago, and having lived in Texas all of his life until entering the U.S. Air Corps during World War II; he is a graduate of Cross Plains High School and of Daniel Baker College, now Howard Payne College at Brownwood; and he is the son of a very prominent Presbyterian minister, who served in many Texas communities as pastor of Presbyterian churches; and

Whereas, Prior to World War II, the said Seaborn Collins was manager of the C. C. Slaughter estate, one of the four largest ranches in Texas; during World War II he served with great distinction as a transport pilot and as a ferry pilot flying the hump in the China-Burma-India Theater; and

Whereas, The said Seaborn Collins moved to Las Cruces, New Mexico, in 1945 where he has made an outstanding success in the insurance, real estate and lumber business; since moving to New Mexico he has served the American Legion in all capacities from Post to National Commander, and made an outstanding contribution to the Nation as Chairman of the National Security Commission of the Legion from 1953 to 1954, and is one of the foremost exponents for the establishment of all necessary measures for the proper defense and security of our country; and

Whereas, The United States is presently facing one of the most critical periods in its entire history; therefore, be it

Resolved, by the Senate, the House concurring, That the Honorable Seaborn Collins, National Commander of the American Legion, be, and he is hereby invited to address the Legislature of Texas in a joint session on Monday, March 7, 1955, at 11:00 A. M.; be it further

Resolved, That the Honorable Allan Shivers, Governor of Texas, the Honorable John Ben Sheppard, Attorney General of Texas, and a member of the American Legion's State Committee on Americanism, the Honorable E. L. Jackson of Cisco, Department Commander, The American Legion, Department of Texas, Honorable Albert D. Brown, Jr. of Austin, Texas, member of the National Executive Committee of The American Legion, Honorable Alvin Owsley of Dallas, Past National Commander of the American Legion, Honorable Perry Brown of Beaumont, Past National Commander of The American Legion, Honorable L. E. Page of Carthage, Past Department Commander and Chairman of the Americanism Committee of The American Legion, Department of Texas, Ed F. Riedel of Austin, Past Department Commander, and Wm. F. Elkins of Dallas, Past Department Commander of The American Legion, Department of Texas, and Honorable W. A. Morrison, Presiding Judge, Court of Criminal Appeals, and Chairman of The American Legion's Boy's State program for Texas, be invited to accompany Commander Collins on this occasion; and be it further

Resolved, That the Secretary of the Senate be instructed to forward a copy of the resolution to proper authorities and to all individuals named herein; and be it further

Resolved, That a committee composed of five members of the Senate and five members of the House be appointed by the Lieutenant Governor and the Speaker of the House to escort these distinguished gentlemen to the speaker's stand.

KELLEY
MOFFETT
PHILLIPS
KAZEN
FULLER
RATLIFF
ASHLEY

The resolution was read.

On motion of Senator Kelley, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 35

Senator Colson offered the following resolution:

Whereas, An outstanding native son of Texas, the Honorable Everett Hutchinson of Austin, Texas, has given unselfishly of himself to his State and to his country by a fine record of public service; and

Whereas, Everett Hutchinson was graduated from the University of Texas and admitted to the Bar in 1939, and is now a member of the American Bar Association; and

Whereas, He served in the 47th and 48th Legislatures of Texas from Waller and Fort Bend Counties, and represented his District in a distinguished manner, and later entered the military service of his country in World War II, serving in the Navy for three years; and

Whereas, Everett Hutchinson returned to public life in July 1949 and became an Assistant Attorney General of the State of Texas and was Executive Assistant Attorney General at the time he resigned in December of 1951 to enter the private practice of law; and

Whereas, He has been appointed by the President of the United States and confirmed by the Senate of the United States to a place on the Interstate Commerce Commission; now, therefore, be it

Resolved by the Senate of Texas, That we commend Mr. Hutchinson on his appointment and confirmation to the Interstate Commerce Commission, that a copy of this resolution be sent to him, and that a page in

the Senate Journal be set aside as a token of appreciation to him.

COLSON
STRAUSS
ROGERS of Travis

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Corbin, Fly, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Roberts, Rogers of Childress, Secrest, Shireman, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Kelley the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Bill Ordered Not Printed

On motion of Senator Martin and by unanimous consent, H. B. No. 143 was ordered not printed.

Senate Resolution No. 36

Senator Bracewell offered the following resolution:

Whereas, The Houston Post, one of the great daily newspapers in the country, on Sunday, January 30, 1955, published its 302 page edition entitled "This Is Texas"; and

Whereas, Such publication is of tremendous importance to this State with the historical background, present factual data, and future predictions contained therein; and

Whereas, The publication of such Texas edition marked the 70th Anniversary of this great newspaper and also marked the opening of the beautiful quarters occupied by the publishing company; and

Whereas, The publisher and editor of the Houston Post is a former presiding officer of the Senate, the esteemed former Governor of Texas, the Honorable William P. Hobby; and

Whereas, It is the desire of the Senate to congratulate Governor Hobby, the owners, publishers, and staff of the Houston Post; now, therefore, be it

Resolved by the Senate of the State of Texas, That this body extend to Governor William P. Hobby and the Houston Post its sincere congratulations on the 70th Anniversary of this great newspaper which has in the past, and unquestionably will in the

future, be a most significant factor in the progress of the State of Texas.

BRACEWELL

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Colson, Corbin, Fly, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Roberts, Rogers of Childress, Rogers of Travis, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Ashley the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Resolution 37

Senator Corbin offered the following resolution:

Whereas, The State of Texas and its people are shocked by the revelations of fraud, irregularities and mis-handling of public funds in the Veterans' Land Board; and

Whereas, Public announcement has been given that the Senate committee investigating the Veterans' Land frauds will conclude its work on or about February 15; and

Whereas, The people of this State are demanding a thorough and complete probe of all irregularities and unconscionable exploitations of veterans and public funds; and

Whereas, There has been no investigation of veterans' land sales in Hidalgo, Liberty and Polk Counties, although there have been complaints of block sales or sales of large amounts of land to veterans at exorbitant prices in each of these counties; and

Whereas, The Governor and the Attorney General who constitute a majority on the Veterans' Land Board, and no block sales could be completed without the support of at least one of them; and

Whereas, There has been no investigation of the illegal letting of State printing contracts to the Texas Publishing Company of Mission, Texas, although 64 of 129 State printing contracts let this year were to the Times Publishing Company, Mission, Hidalgo County, Texas; and

Whereas, There has been no investigation of the widespread public complaints of the handling of personal

business deals out of the Governor's office by Maurice Acers; now, therefore, be it

Resolved, That a permanent special investigating committee to be headed by the author of this resolution, be appointed by the Senate and that it be authorized and directed to make a thorough, searching and complete investigation of the handling of the Veterans' Land program, with its outlay of more than one hundred million dollars in State obligations; and be it further

Resolved, That said special investigating committee be authorized and directed to make a thorough investigation of all State printing contracts; and be it further

Resolved, That said special investigating committee be authorized and directed to investigate all personal business activities carried on by Maurice Acers out of the Governor's office; and be it further

Resolved, That said committee be authorized to hire investigative personnel, clerical personnel, and such other help as is needed, including a legal advisor, and that it have power to subpoena witnesses and records and the power to punish for contempt, and all other investigative powers which the Senate has the legal power to invest, and that it be authorized to begin work immediately.

The resolution was read and was referred to the Committee on State Affairs.

House Bill 143 on Second Reading

Senator Martin moved that Senate Rules 116 and 38 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 143 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	McDonald
Ashley	Moffett
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss

Wagonseller Willis
Weinert

Nays—1

Corbin

Absent

Moore

Absent—Excused

Hazlewood

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 143, A bill to be entitled "An Act authorizing the payment from existing appropriation of salary increases for the Constitutional officers of this State pursuant to Article IV of the Constitution of Texas as amended November 2, 1954; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill No. 143 on Third Reading

Senator Martin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 143 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Owen
Ashley	Parkhouse
Bracewell	Phillips
Colson	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Nays—1

Corbin

Absent

Moore

Absent—Excused

Hazlewood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Nays—1

Corbin

Absent—Excused

Hazlewood

Message from the House

Hall of the House of Representatives,
Austin, Texas
February 1, 1955.

Hon. Ben Ramsey President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. 18, Congratulating Baylor University on its 110th Anniversary.

Respectfully submitted,

DOROTHY HALLMAN

Chief Clerk, House of Representatives.

Communication from Court of Criminal Appeals

The following communication received from the Court of Criminal Appeals was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas
February 1, 1955.

To the Senate of the Fifty-fourth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following reappointment:

To be a Member of the Board of

Pardons & Paroles, L. C. Harris, of Travis County.

Respectfully submitted,

W. A. MORRISON

Presiding Judge
Court of Criminal Appeals
State of Texas.

Communication from Legislative Audit Committee

The following communication received from the Legislative Audit Committee was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas
January 31, 1955

To the Senate of the Fifty-fourth Legislature of the State of Texas:

This is to certify that the Legislative Audit Committee under the provisions of Senate Bill No. 27 as passed by the 49th Legislature, did on this day appoint C. H. Cavness as State Auditor of the State of Texas for the term expiring February 15th, 1957.

It is respectfully requested that Senate confirmation be given this appointment.

Legislative Audit Committee

By Ben Ramsey

Lieutenant Governor

Jim Lindsey

Speaker of the House of Representatives

Crawford C. Martin

Chairman of the Senate Finance Committee

Dorsey B. Hardeman

Chairman of the Senate Committee on State Affairs

Max C. Smith

Chairman of the House

Appropriations Committee

Stanton Stone

Chairman of the House Committee on Revenue and Taxation

Co-Author of Senate Bill 23

On motion of Senator Ashley and by unanimous consent Senator Moffett will be shown as co-author of S. B. No. 23.

Co-Author of Senate Bill 85

On motion of Senator Rogers of Childress and by unanimous consent Senator Willis will be shown as co-author of S. B. No. 85.

Senate Bill 123 on Second Reading

Senator Wagonseller moved that Senate Rules 116 and 38, and Section

5 of Article III of the State Constitution be suspended and that S. B. No. 123 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Hazlewood

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 123, A bill to be entitled "An Act repealing Chapter 74, Local and Special Laws of the 39th Legislature, Regular Session, 1925 (Special Road Law for Denton County) and all amendments thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 123 on Third Reading

Senator Wagonseller moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. 123 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Fly	Owen
Fuller	Parkhouse
Hardeman	Phillips
Kazen	Ratliff
Kelley	Roberts
Lane	Rogers
Latimer	of Childress

Rogers of Travis	Wagonseller
Secrest	Weinert
Shireman	Willis
Strauss	

Absent—Excused

Hazlewood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Hazlewood

Senate Bill 124 on Second Reading

Senator Wagonseller moved that Senate Rules 116 and 38, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 124 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Hazlewood

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 124, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Denton County, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 124 on Third Reading

Senator Wagonseller moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. 124 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Hazlewood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman
Martin	Strauss

Wagonseller
Weinert

Willis

Absent—Excused

Hazlewood

Executive Session

On motion of Senator Aikin and by unanimous consent, the Senate agreed to hold an executive session at 11:36 o'clock a. m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Secretary of State to succeed C. E. Fulgham, resigned, effective February 15, 1955,

Al Muldrow of Brownfield, Terry County.

To be Branch Pilot, Brazos-Santiago Pass, Bar and Tributaries for term to expire January 8, 1957,

Joseph A. Kelly of Cameron County.

To be a member of the Board of Hairdressers and Cosmetologists for term to expire August 9, 1955, to fill unexpired term of Mrs. Jean Tomberlin, deceased,

Bill Stafford of Austin, Travis County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 12:01 o'clock p. m. today.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 7, Committee to appoint Poet Laureate and Alternate Poet Laureate.

S. C. R. No. 8, In Honor of Dr. Arthur Tyson.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

**House Concurrent Resolution 18 on
Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 18, Congratulating Baylor University on its 110th anniversary.

The resolution was read.

On motion of Senator Owen and by unanimous consent, the resolution was considered immediately and was adopted.

**House Bill and Resolution on
First Reading**

The following bill and resolution received from the House were read and were referred to the committees indicated:

H. C. R. No. 12, To the Committee on Rules.

H. B. No. 137, To the Committee on Counties and County Boundaries.

Report of Standing Committee

Senator Weinert by unanimous consent submitted the following report:

Austin, Texas,
February 1, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred H. C. R. No. 12, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Bill Signed

The President signed in the presence of the Senate, after the caption had been read, the following enrolled bill subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas:

H. B. No. 143, A bill to be entitled "An Act authorizing the payment from existing appropriations of salary increases for the Constitutional officers of this State pursuant to Article IV of the Constitution of Texas, as amended November 2, 1954; etc.; and declaring an emergency."

Adjournment

On motion of Senator Weinert, the Senate, at 12:05 o'clock p. m., adjourned until 10:30 o'clock p. m. tomorrow.

In Memory of
Robert L. Carlock

Senator Willis offered the following resolution:

(Senate Concurrent Resolution No. 10)

Whereas, On December 28, 1954, the illustrious career of Robert L. Carlock of Fort Worth was closed by his death; and

Whereas, He was born in Athens, Tennessee, ninety-one years ago and attended Cumberland University and practiced law in Tennessee a year; and

Whereas, Robert L. Carlock, Sr. came to Fort Worth in 1883 to practice law and at the age of 23 was elected the youngest county attorney of Tarrant County from 1887 to 1889; and

Whereas, Robert L. Carlock, Sr. was elected to the Texas House of Representatives in 1916 and served one term, then ran for the State Senate unopposed and served two terms and retired voluntarily; and

Whereas, While he was a member of the Senate, he was influential in establishing the State Highway Department, the first Workmen's Compensation law and the alternating jury system; and

Whereas, He was preceded in death in 1950 by his wife, whom he had married in Tennessee in 1884, and is survived by his son and daughter-in-law, Mr. and Mrs. Robert L. Carlock, Jr. of Fort Worth; one granddaughter and three great-grandchildren; and

Whereas, It is the desire of the Senate and the House of Representatives to recognize and pay tribute to the useful and worthwhile life of Robert L. Carlock, Sr. and to extend our deepest sympathy to the surviving members of his family; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That we express to the members of his family our profound sympathy and that when the Senate and House adjourn today that they do so in memory of Robert L. Carlock, Sr.; and be it further

Resolved, That a page be set aside in the Journal of each House for this resolution and that a copy of this resolution be sent to the surviving members of the family.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Elmer Lincoln Scott

Senator Parkhouse offered the following resolution:

(Senate Resolution No. 32)

Whereas, Elmer Lincoln Scott, in his 88th year, was called to his Final Rest, on the 20th day of April, 1954, the State of Texas and the people of Dallas mourn his passing; and

Whereas, Elmer Lincoln Scott, who was born in Jefferson County, Ohio, on April 13, 1866, devoted many years to civic work and in recognition of his many services rendered to the public, was awarded the first Linz Award in 1924, for being the outstanding citizen of Dallas; and

Whereas, He attended Richwood College, Mount Union College and Ohio Wesleyan University, all in Ohio. He was pledged to the Delta Tau Delta Fraternity, and remained an enthusiastic alumnus until his death. In 1905 Mr. Scott established the first Sears, Roebuck store in Dallas. He established the first Department of Public Welfare in Dallas and was the first Executive Secretary of the Civic Federation and Council of World Affairs and had many offers of responsible work in Washington. He was a member of the Dallas Country Club and Idlewild Club and the first Grand Opera Committee of Dallas. He helped build the Dallas Lawn Tennis Club, the Dallas Advertising League, and the Dallas Recreational Association; and

Whereas, This great citizen of Texas was not only a leader in many worthy projects for the advancement of his City and State, and proved to be a valued worker in many civic enterprises, the people of Texas and Dallas feel his loss; and now, therefore, be it

Resolved by the Senate of the State of Texas, That the loss of this worthy civic leader is a loss to the entire State, and that a copy of this resolution be sent to members of his family as a token of our sympathy; and be it further

Resolved, That a page in today's Journal be devoted to him, and that when the Senate adjourns today, it do so in respect to the memory of Elmer Lincoln Scott.

The resolution was read and was adopted by a rising vote of the Senate.